IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

PRESENT:

THE HON'BLE SMT JUSTICE T.MEENA KUMARI

&

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO :17115 of 2007

DATED:13.8.2007.

Between:

P.Sarala

.....

PETITIONER

AND

1.The Govt of A.P rep by its Principal Secretary
Higher Education, Secretariate, Hyd & others

.....RESPONDENTs

THE HON'BLE SMT JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO:17115 OF 2007

ORDER: (Per the Honourable Smt.Justice T.Meenakumari)

The petitioner has filed the present writ petition seeking to call for the records pertaining to the order dated 3.8.2007 in VMA No:398 of 2007 in O.A.No:4110 of 2007 of the Tribunal and set aside the same.

The petitioner is the applicant. She has filed the O.A challenging the proceedings of the 1st respondent in Memo No:8937/I.E.1/A1/2007-1, dated 19.7.2007 and the consequential proceedings of the 2nd respondent in Rc.No:Ser.1-3/Spl.Transfer/2007-9, dated 19.7.2007 and proceedings Rc.No:Ser.1-3/Spl.Transfer/2007-4, dated 19.7.2007 transferring the applicant even before the completion of two years service at KAC Govt Junior College, Nellore and posting the 3rd respondent in her place inspite of his request for transfer and posting at Govt Junior College, Gudur, Nellore District as illegal. After filing of the O.A., the tribunal has passed an interim order on 23.7.2007 as under:

"Status quo with respect to the applicant and the unofficial

respondent as on the date of issuance of the impugned order i.e., 19.7.2007 shall be maintained."

Meanwhile, the unofficial respondent has filed V.M.A.No:398 of 2007 seeking to vacate the interim order dated 23.7.2007 and the tribunal having considered the aspect that the applicant has joined as Principal, D.K. Government Junior College for Girls on 23.7.2007 in the Fore noon itself and the unofficial respondent had also handed over the charge of KAC Government Junior College, Nellore in the Forenoon itself, vacated the interim order. Having aggrieved by the same, the present writ petition is filed by the applicant.

The material on record clearly goes to show that even by the date of issuing the status quo order, the parties in question have joined in their respective stations. Apart from that, the order impugned therein makes it clear that the transfer in question is on only administrative grounds, which are within the domain of the authorities to suit the convenience of the administration, in which generally, the Courts will not interfere unless such transfers are proved to be occurred with any malafides.

In this view of the matter and in view of the fact that the transfer order in question had already been implemented, We feel that the purpose for which status quo order has been issued, would not be served, so that the tribunal is justified in vacating the status quo order granted by it. We see no merits in this writ petition and the same is liable to be dismissed.

Accordingly, this writ petition is dismissed. No costs.

(JUSTICE T.MEENAKUMARI)

13th August, 2007

(JUSTICE G.CHANDRAIAH)

gurc

THE HON'BLE SMT. JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

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WRIT PETITION NO:17115 of 2007
(Order delivered by the Honourable Smt.Justice T.Meena Kumari)

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13th August, 2007.